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8	UNITED STATES DISTRICT COURT				
9	NORTHERN DISTRICT OF CALIFORNIA				
10 11	SAN JOSE DIVISION				
12	ERIKA CANAS, ET AL.,) Case No.: C 08-05771 JF (PVT)				
13	ERIKA CAN	Plaintiffs,		ORDER RE PARTIES' STIPULATION	
14	v.	i idilitiis,)	AND PROPOSED PROTECTIVE ORDER	
15	CITY OF SUNNYVALE, ET AL.,				
16	Defendants.)				
17)		
18	On October 14, 2009, the parties filed a stipulation and [proposed] protective order. Having				
19	reviewed the proposed order, the court finds the following deficiencies:				
20	(1) the stipulated protective order fails to state that confidential material must qualify for				
21	protection under the standards developed under Rule 26(c);				
22	(2) the stipulated protective order fails to place on the right party the burden of				
23	establishing that protection is warranted. Rule 26(c) places the burden on the party				
24	seeking protection to show that it is warranted;				
25	(3) the stipulated protective order fails to specify that requests to file confidential				
26	documents and information under seal should be made pursuant to Civ. L.R. 79-5;				
27	(4) the stipulated protective order fails to include as an exhibit a sample agreement to be				
28	bound by the order.				
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Additionally, the parties are advised to review the model stipulated protective order on the court's website located at www.cand.uscourts.gov. Pending entry of the final form of protective order, the provisions of the parties' proposed form of protective order, as modified herein, shall govern the handling of confidential information exchanged or disclosed during discovery in this case. IT IS SO ORDERED. Dated: October 15, 2009 Patricia V. Trumbull PATRICIA V. TRUMBULL United States Magistrate Judge